

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

EFFECTIVE EXPLORATION, LLC,

Plaintiff,

v.

JOHN LINDER OPERATING CO., LLC

Defendant.

Civil Action No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Effective Exploration, LLC (“Effective Exploration”), by way of Complaint against John Linder Operating Co., LLC (“John Linder” or “Defendant”), alleges the following:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code.

THE PARTIES

2. Plaintiff Effective Exploration is a limited liability company organized under the laws of the State of Texas with a place of business at 555 Republic Drive., Suite 200, Plano, Texas 75084.

3. On information and belief, Defendant John Linder is a limited liability company organized under the laws of the State of Texas with a principal place of business and registered agent for service at 200 Griffin Street, Gladewater, Texas 75647.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338.

5. This Court has personal jurisdiction over John Linder because it has ongoing and systematic contacts with this District and the United States. Specifically, Defendant is a corporation organized under the laws of the State of Texas, has a registered agent for service of process in Texas, and thereby availed itself of the privileges and the protections of the laws of the State of Texas and this Judicial District.

6. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(c) and 1400(b).

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 8,505,620

7. Plaintiff repeats and re-alleges the allegations of paragraphs 1 through 6 as though fully set forth herein.

8. On August 13, 2013, United States Patent No. 8,505,620 (“the ’620 Patent”), entitled “METHOD AND SYSTEM FOR ACCESSING SUBTERRANEAN DEPOSITS FROM THE SURFACE AND TOOLS THEREFOR,” was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ’620 Patent is attached as Exhibit A to this Complaint.

9. Effective Exploration is the assignee and owner of the right, title and interest in the ’620 Patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

10. Defendant has been directly infringing and continues to directly infringe one or more claims of the ’620 Patent in the United States through at least its operation of oil and gas wells throughout the United States in violation of 35 U.S.C. § 271(a), including, but not limited to, the following well (identified by API number): 4241930800.

11. Defendant was made aware of the '620 Patent and its infringement thereof at least as early as the filing of this Complaint.

12. Because of Defendant's infringement of the '620 Patent, Plaintiff has suffered damages and will continue to suffer damages in the future. Plaintiff is entitled to an award of such damages, but in no event less than a reasonable royalty, the precise amount to be determined at trial.

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Effective Exploration, LLC respectfully demands entry of judgment against Defendant John Linder as follows:

- A. finding that Defendant has infringed one or more claims of the '620 Patent;
- B. permanently enjoining and restraining Defendant, its agents, affiliates, subsidiaries, servants, employees, officers, directors, attorneys, and those persons in active concert with or controlled by Defendant from further infringing the '620 Patent;
- C. awarding Plaintiff damages to be paid by Defendant adequate to compensate Plaintiff for Defendant's past infringement of the '620 Patent and any continuing or future infringement of the '620 Patent through the date such judgment is entered, together with pre-judgment and post-judgment interest, costs and expenses as justified under 35 U.S.C. § 284;
- D. a declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Plaintiff's reasonable attorneys' fees;

E. ordering an accounting of all infringing acts including, but not limited to, those acts not presented at trial and an award of damages to Plaintiff for any such acts;

F. a finding that Defendant willfully infringed one or more claims of the '620 patent in violation of 35 U.S.C. § 271, et seq.; and

G. awarding such other and further relief at law or in equity as the Court deems just and proper.

Dated: June 27, 2014

/s/ Steven R. Daniels

Steven R. Daniels

Texas State Bar No. 24025318

LEAD ATTORNEY

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